

REMARKS

Claims 1-23 are all the claims pending in the application. Applicant amends claims 1-23.

Claim objection

Claims 1-23 are objected to by the Examiner for allegedly not complying with the requirements of 37 C.F.R. § 1.126. Applicant respectfully disagrees with the Examiner's objection. Applicant respectfully submits that 37 C.F.R. § 1.126 states "the original numbering of the claims must be preserved throughout the prosecution. When claims are canceled the remaining claims must not be renumbered. When claims are added, they must be numbered by the Applicant consecutively beginning with the number next following the highest numbered claim previously presented (whether entered or not)."

In the present application, Applicant filed an original set of claims and an amended set of claims with the preliminary amendment. Applicant respectfully points out to the Examiner that there were no claims cancelled or new claims added in the preliminary amendment. As such, it would not be necessary to cancel the original claims and renumber claims with new as claims identifier.

In view of the above, Applicant respectfully requests the Examiner to withdraw the objection of claims 1-23.

Claim rejections

Claims 1-3, 10-11 and 14-23 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Cao et al. "Cao" (US 7,218,947). Claims 4-9 and 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cao in view of Bjorn (GB 231179). Applicant traverses the rejection for at least the following reasons.

Claim 1

Claim 1 recites, *inter alia*, “receiving, by a first network element that transmits to mobile terminals, at least one information element from at least one other second network element, wherein said information element indicates an initial transmission power for transmission to a mobile terminal, in a case of radio link reconfiguration between said first network element and said mobile terminal, which changes the transmission power for said radio link.” Applicant respectfully submits that Cao does not disclose this unique feature of claim 1.

Cao is directed to a telecommunications network system in which the base station, upon receiving a command to transfer to or add another uplink channel for communicating user data, allocates uplink channel after power level adjustment is undertaken (Abstract). Cao discloses that a radio network controller RNC determines the time required for rerunning power control loop, which is the Power Control Preamble time period (PCP length). The RNC sends information indicating the required PCP length and activation time to the base station (column 4, lines 4-8) (i.e. when the radio channel to the module station should be reconfigured).

A radio bearer reconfiguration message including information elements indicative of power control preamble length and activation is sent from the RNC to the mobile station via base station. After this information is sent, a process of adjusting the mobile station to a new radio channel is started on the new downlink radio channel (column 4, lines 9-24). However, Cao does not disclose that the information element indicates an initial transmission power for transmission to a mobile terminal.

In particular, Cao discloses that the RNC determines and sends information indicating the time required for rerunning a power control loop, the power control preamble time period (PCP

length) (column 3, line 66-column 4, line 3). The power control preamble length is the time required for inner loop power control, which compensates for fluctuations due to mobile station movement and consequent fading (column 4, lines 13-20). Therefore, Cao discloses a time required for inner loop power control; it does not disclose an initial transmission power for transmission to a mobile station, in a case of radio link reconfiguration between said first network element and said mobile terminal which changes the transmission power for said radio link.

In view of the above, Applicant respectfully submits that claim 1 is allowable over the cited reference.

Claim 17-20

Claim 17-20 recite subject matter analogous to claim 1, and therefore they are also allowable for at least the similar reasons claim 1 is shown to be allowable.

Claims 2-3, 10-11, 14-16 and 23

Claims 2-3, 10-11, 14-16 and 23 depend from one of the independent claims that have been shown to be allowable, and therefore are also allowable at least by virtue of their dependency and the additional limitations therein.

Claims 4-9 and 12-13

Applicant respectfully submits that since claims 4-9 and 12-13 depend from claim 1 and since Bjorn does not cure the deficiency noted above with respect to claim 1, claims 4-9 and 12-13 are also allowable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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